

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of New Mexico

Tammy Simpson, Individually and Marvin Charley,  
Individually, Husband and Wife, and Tammy  
Simpson, as Guardian and Next Friend of P.S. and  
B.C., Minor Children

Plaintiff(s)

v.

United States of America, et al.

Defendant(s)

Civil Action No. 1:18-cv-01169 KK-LF

ALIAS

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Sara Michaels, M.D.  
1105 N.Buena Vista Avenue  
Farmington, NM 87401

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Theodore W. Barudin, Esq.  
Barudin Law Firm, P.C.  
7900 Menaul Blvd. NE  
Albuquerque, NM 87110

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: Monday, February 11, 2019

CLERK OF COURT  
United States District Court  
Karen D. Hernandez  
Signature of Clerk or Deputy Clerk  
District of New Mexico

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**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Sara Michaels, M.D.  
 was received by me on *(date)* February 21, 2019.

☒ I personally served the summons on the individual at *(place)* 1105 N. Buena Vista Avenue, Farmington, New Mexico on *(date)* march 4, 2019 ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ 115.00 for travel and \$ \_\_\_\_\_ for services, for a total of \$ 115.00  
 0.00

I declare under penalty of perjury that this information is true.

Date: 3-8-19

Marcia Williams  
*Server's signature*

Marcia Williams, Private Process Server  
*Printed name and title*

PO Box 1566, Gallup, New Mexico  
*Server's address* 87305

Additional information regarding attempted service, etc: